

Application No. 10/552,858
July 2, 2010

REMARKS

Claim 3 – 5, 7 – 8, 20 and 21 are currently pending. Claims 5, 20, and 21 are the pending independent claims.

In the Office Action, Claim 9 was rejected under Section 112, second paragraph as allegedly being indefinite. Claim 9 is cancelled herein, so this rejection is now moot.

In addition, Claims 20 and 21 (and their dependent Claims 3, 4, 8 and 9) were rejected under Section 112, first paragraph, as allegedly failing to comply with the written description requirement.

In the Examiner's view, Claims 20 and 21 impermissibly make the HCl addition step optional while also calling for a salt removal step. In response, Applicants have amended the relevant portions of Claims 20 and 21 to specify that salt removal is now optional, but that addition of hydrochloric acid is a step called for in carrying out the process as claimed.

This is consistent with what is described in the specification in Examples 3, 4, and 5. For instance, Example 3 clearly describes the following order of steps:

- 1) thiourea cyclization (example 3, page 14, line 8), followed by
- 2) salt removal via anion exchanger (example 3, page 14, line 9), followed by
- 3) hydrochloric acid addition (example 3, page 14, line 16), followed by
- 4) isolation (crystallization) from an aqueous acetonitrile solution (example 3, page 14, lines 16 to 18).

In light of the foregoing, Applicants urge the Examiner to reconsider the application, to withdraw all rejections and/or objections, and to issue a Notice of Allowance at the earliest possible convenience.

In the event this response is not timely filed in accordance with any extension submitted herewith, Applicants hereby petition for the appropriate extension of time and request that the fee believed necessary for the appropriate extension along with any other fees which may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

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Respectfully submitted,
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Date: July 2, 2010
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